

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

SONIA R. HAMMOCK,)	
)	
Plaintiff,)	
)	
v.)	Civil Action Number: 2:07CV896-WHA
)	
NELL E. LAMB and TODD SWING,)	
et al.,)	
)	
Defendants.)	

**DEFENDANT'S SUPPLEMENTAL RESPONSE TO
PLAINTIFF'S MOTION TO REMAND**

COMES NOW the defendant, Nell E. Lamb, pursuant to 28 U.S.C. § 1446, and supplements her response to the plaintiff's motion to remand. In support of the motion, Lamb shows unto the court as follows:

**I. THE PLAINTIFF'S MOTION TO REMAND IS DUE TO BE DENIED
AS DIVERSITY OF CITIZENSHIP EXISTS BETWEEN THE
DEFENDANT AND THE PLAINTIFF.**

Lamb reasserts each and every contention in her initial response to the plaintiff's motion to remand. Additionally, it is significant to note additional factors demonstrating Lamb's domicile in Michigan.

Lamb applied for two jobs in Michigan after leaving her previous job during June 2007 as a nurse in Charlottesville, Virginia. (See Elaine Lamb deposition pp. 12-13). Moreover, Lamb has not worked in Alabama since March 2006. (See Elaine Lamb deposition p. 17). Additionally, Lamb received dental care in Michigan during July 2007 and August 2007, approximately two months before suit was filed. (See Exhibit "1").

The plaintiff will undoubtedly contend Lamb is still domiciled in Alabama based upon a few minor contacts which remain with that state following her relocation to Michigan in June 2007, approximately three months before suit was filed.

Those few contacts remaining include a driver's license, nursing license, and voter registration in Alabama. However, such contacts, in this case, are not telling with regard to Lamb's domicile as Lamb still maintains current driver's and nursing licenses in Virginia and California as well. (See Elaine Lamb deposition pp. 9-12). Moreover, Lamb also maintains a nursing license in Michigan. (See Elaine Lamb deposition p. 11).

It should also be noted that Lamb's living arrangements are unique. Lamb has often worked as a traveling nurse since 2003 (See Elaine Lamb deposition pp. 16-18). During that time, Lamb has resided in Virginia, California, Alabama, and Michigan, depending upon her work assignment. (Id.; See also Elaine Lamb deposition pp. 16-19).

Lamb no longer works as a traveling nurse since moving to Michigan, where she now works as a permanent nurse at Sparrow Hospital in Lansing, Michigan. (See Elaine Lamb deposition p. 12). Thus, Lamb's current, stationary employment further indicates her intention to remain in Michigan.

The plaintiff may attempt to argue that Lamb still receives mail in Alabama at her uncle's residence, where she periodically stayed while working at Tutwiler Prison until March 2006. (See Elaine Lamb deposition pp. 40-41). However, such an argument also fails to establish Lamb's domicile in Alabama as Lamb still receives mail in California and, more importantly, Michigan as well. (See Exhibit "2"; See also Elaine Lamb deposition p. 36).

The plaintiff may also attempt to argue that Lamb continues to receive neurological medical treatment from Dr. Hamp Greene and has prescriptions filled in Montgomery, Alabama. However, such an argument is also misplaced.

Although Lamb has relocated to Michigan, she still appreciates the quality of care provided by Dr. Greene and intends to fly back to Alabama as she requires treatment. (See Elaine Lamb deposition pp. 57-58). Each and every one of Lamb's prescriptions filled in Alabama are prescribed by Dr. Greene and mailed to her in Michigan. (See Exhibit "3"; See also Elaine Lamb deposition pp. 72-73).

Simply because an individual seeks specialized medical treatment in another state does not establish domicile in that state. Indeed, specialized medical care is often regional and should not alone be considered a factor establishing domicile in the present case. As a result, the mere fact that Lamb continues to seek treatment by Dr. Greene is not dispositive of her domicile in this case.

To this day, Lamb continues to reside in Michigan and intends to do so indefinitely. (See Elaine Lamb deposition pp. 36-37; See also Exhibit "4"). In fact, Lamb made arrangements for her deposition to be taken in this case on January 23, 2008, flew to Alabama from Michigan, and returned to Michigan the very next day for work at Sparrow Hospital in Lansing. (See Elaine Lamb deposition pp. 32-33).

Therefore, diversity of citizenship of the parties is clear and this court maintains jurisdiction over the present case.

WHEREFORE, Lamb requests this court deny the plaintiff's motion to remand as federal jurisdiction has clearly been established.

/s/ R. Larry Bradford
R. Larry Bradford, Attorney for Defendant,
Nell E. Lamb
Attorney Bar Code: ASB-8038-F64R

OF COUNSEL:

Bradford & Sears, P.C.
2020 Canyon Road
Suite 100
Birmingham, Alabama 35216

CERTIFICATE OF SERVICE

I hereby certify that I have this the 14 day of February, 2008 served a copy of the foregoing to all attorneys of record by electronically filing and/or placing a copy of same in the United States Mail, postage prepaid and properly addressed as follows:

Tedford Taylor, Esq.
Taylor & Taylor
2130 Highland Avenue
Birmingham, AL 35205

/s/ R. Larry Bradford
OF COUNSEL

LAMB, ELAINE

SERVICE CODE

EX EXAMINATION
P PROPHYLAXIS
FT FLUORIDE TREATMENT
X X-RAYS
FMX FULL MOUTH X-RAYS
PT PERIODONTAL TREAT.
AM AMALGAM RESTORATION
AU GOLD RESTORATION
SP SPECIAL PORCELAIN
FB FIXED BRIDGE
D DENTURE (U.L.)
PD PARTIAL DENTURE
C CONSULTATION
ET EXTRACTION
FA FAILED APPT.
G GINGIVECTOMY
N NERVES CAPPED
OC OFFICE CALL
OE OCCLUSAL
OS EQUILIBRATION
PC ORAL SURGERY
SM ROOT CANAL
B STUDY MODELS
L BLEACHING
MG LAMINATES
OG MOUTH GUARD
SP OCCLUSAL GUARD
S SPLINT TEETH
G & P SEALANTS
RESTORATION

GEORGE L. BETTMAN, D.D.S.
ROBERT G. BETTMAN, D.D.S.

212 Lansing Medical - Dental Bldg.
2909 E. Grand River Avenue
LANSING, MICHIGAN 48912
Telephone 485-1769

PAGE

PAYMENT CODE

CA CASH
CK CHECK
INS INSURANCE
CR CREDIT
NC NO CHARGE
ER ERROR
CORRECTED
MO MONEY
ORDER
FC FINANCE
CHARGE
ROA REC'D. ON
ACCT.

ELAINE LAMB
P.O. BOX 92
Lansing, Mi. 48848

TERMS: All accounts are due by 10th of the month. Unless special financial arrangements are made in advance. There is a 1% **FINANCE CHARGE** per month on the unpaid balance. **ANNUAL % RATE** of 18% per year.

THIS IS AN ITEMIZED STATEMENT OF YOUR ACCOUNT

DATE	DESCRIPTION	CODE	CHARGE	PAID	BALANCE
7-9-07	Full Clear Lamb PC X		622 ⁰⁰	120 ⁰⁰	502 ⁰⁰
7-11-07	Full Clear Lamb PC X		234 ⁰⁰	12 ⁰⁰	724 ⁰⁰
7-16-07	Full Clear Lamb PC X		786 ⁰⁰	0 ⁰⁰	1510 ⁰⁰
8-2-07	Principal - Nell		0 ⁰⁰	684 ²⁰	825 ⁸⁰
8-9-07	Principal - Nell		0 ⁰⁰	235 ⁸⁰	590 ⁰⁰
8-13-07	PATIENTS BALANCE DUE		590 ⁰⁰		590 ⁰⁰
9-13-07	PATIENTS BALANCE DUE		590 ⁰⁰		590 ⁰⁰
10-16-07	PATIENTS BALANCE DUE		590 ⁰⁰		590 ⁰⁰
11-15-07	PATIENTS BALANCE DUE		616 ⁵⁵		616 ⁵⁵
12-13-07	PATIENTS BALANCE DUE		924 ⁰⁰		625 ⁷⁹

PAY LAST BALANCE THIS COLUMN \uparrow Principal
INSURANCE CO.

COLLECTION CONTROL

STATEMENTS

POLICY NO.

EMPLOYER

334 - 278 - 3499

HOME PHONE

Jan - Jan
\$1000
D - 100%
D - 80%
M - 50%

#50
ded.

EXHIBIT

1



NELL E LAMB
15750 LASSELLE ST APT 10-N
(ADU 9/12/07)
MORENO VALLEY CA 11111

16/0

STATEMENT DATE
12/21/07
ACCOUNT NUMBER
8808-885-1

INFOLINE 1-888-797-7711

***** CHECKING ACCOUNT SUMMARY *****
PREVIOUS BALANCE 185.70 AVERAGE BALANCE
+ 0 CREDITS .00 162
- 3 DEBITS 124.37 YTD INTEREST PAID
- SERVICE CHARGES .00 .00
+ INTEREST PAID .00 FEES THIS PERIOD
ENDING BALANCE 56.83 .00

***** CHECKING ACCOUNT TRANSACTIONS *****

OTHER DEBITS
DATE.....AMOUNT TRANSACTION DESCRIPTION CHK NO/ATM CD
12/05 7.38 CK DEBIT MARK'S IGA LAINGSBURG MI
12/17 75.00 POS DEBIT 121607
BAPTIST HEALTH MONTGOMERY AL
12/20 41.99 POS DEBIT 122007
MELALEUCA 00 IDAHO FALLS ID
12/21 4.50 PLUS PACKAGE FEE

***** DAILY BALANCE SUMMARY *****
DATE.....BALANCE DATE.....BALANCE DATE.....BALANCE
11/26 185.70 12/17 103.32 12/21 56.83
12/05 178.32 12/20 61.33

***** REGULAR SAVINGS *****

ACCOUNT NUMBER 00000000970037 BALANCE 11/26/07 123.13

INTEREST RATE 0.60000
ANNUAL PERCENTAGE YIELD EARNED 0.558
DAYS IN PERIOD 27
FEES THIS PERIOD .00
INTEREST EARNED THIS PERIOD .05
YEAR-TO-DATE INTEREST .46



NOR 337


BancorpSouth®

Member FDIC

16/0

NELL E LAMB
15750 LASSELLE ST APT 10-N
(ADU 9/12/07)
MORENO VALLEY CA 91711

STATEMENT DATE
01/24/08
ACCOUNT NUMBER
8808-885-1

INFOLINE 1-888-797-7711

***** CHECKING ACCOUNT SUMMARY *****

PREVIOUS BALANCE	56.83	AVERAGE BALANCE	
+ 0 CREDITS	.00		3-OD
- 4 DEBITS	149.31	YTD INTEREST PAID	
- SERVICE CHARGES	.00		.00
+ INTEREST PAID	.00	FEES THIS PERIOD	
ENDING BALANCE	96.98-OD		.00

***** CHECKING ACCOUNT TRANSACTIONS *****

OTHER DEBITS

DATE	AMOUNT	TRANSACTION DESCRIPTION	CHK NO/ATM CD
01/02	45.88	POS DEBIT	010208
		SCHULER BOOKS/01 OKEMOS	MI
01/15	69.93	POS DEBIT	011508
		BLOCKBUSTER VIDE OKEMOS	MI
01/16	32.00	OD CHARGE	
01/16	1.50	ATM INQ FEE	
01/24	4.50	PLUS PACKAGE FEE	

***** DAILY BALANCE SUMMARY *****

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
12/21	56.83	01/15	58.98OD	01/24	96.98OD
01/02	10.95	01/16	92.48OD		

***** REGULAR SAVINGS *****

ACCOUNT NUMBER 00000000970037 BALANCE 12/23/07 123.13

DATE DESCRIPTION	DEBITS	CREDITS	BALANCE
12/24 INTEREST PAID		0.44	123.57

NOPR 337



BancorpSouth

Member FDIC

NEIL E LAMB
15750 LASSELLE ST APT 10-N
(ADU 9/12/07)
MORENO VALLEY CA 11111

16/0
PAGE 2

STATEMENT DATE
01/24/08
ACCOUNT NUMBER
8808-885-1

***** REGULAR SAVINGS *****

ACCOUNT NUMBER 00000000970037 BALANCE 12/23/07 123.13

INTEREST RATE	0.60000
ANNUAL PERCENTAGE YIELD EARNED	0.65%
DAYS IN PERIOD	32
FEES THIS PERIOD	.00
INTEREST EARNED THIS PERIOD	.07
YEAR-TO-DATE INTEREST	.00

Page 1

***** INSURANCE STATEMENT *****

Printed: Thursday, January 31, 2008 09:36:24 AM

Patient: ELAINE LAMB, COMFORT INN ROOM 415, 2354 SOUTH 4TH STREET, EL CENTRO, CA 92243-0000
Statement Date Beginning 01/01/2006, Ending 12/31/2007

Rx #	Doctor	Drug	NDC	Qty	Fill Date	Refill	Price	Tax
511344	GREENE, HAMP H				03/28/2006	0	37.00	0.00
511345	GREENE, HAMP H				03/28/2006	0	45.25	0.00
511343	GREENE, HAMP H				04/28/2006	1	45.25	0.00
511345	GREENE, HAMP H				05/24/2006	2	45.25	0.00
511345	GREENE, HAMP H				06/19/2006	3	45.25	0.00
511345	GREENE, HAMP H				07/17/2006	4	45.25	0.00
530800	GREENE, HAMP H				08/10/2006	5	45.25	0.00
530801	GREENE, HAMP H				01/08/2007	0	24.05	0.00
530802	GREENE, HAMP H				01/08/2007	0	26.99	0.00
530803	GREENE, HAMP H				01/08/2007	0	29.65	0.00
530802	GREENE, HAMP H				01/08/2007	0	34.51	0.00
530801	GREENE, HAMP H				02/05/2007	1	29.65	0.00
530800	GREENE, HAMP H				02/05/2007	1	26.99	0.00
530803	GREENE, HAMP H				02/05/2007	1	24.05	0.00
530800	GREENE, HAMP H				02/05/2007	1	34.51	0.00
530803	GREENE, HAMP H				03/01/2007	2	24.05	0.00
530801	GREENE, HAMP H				03/01/2007	2	34.51	0.00
530802	GREENE, HAMP H				03/01/2007	2	26.99	0.00
530802	GREENE, HAMP H				03/01/2007	2	29.65	0.00
Insurance #1: PAID RX #10					03/26/2007	3 *****	10.00	0.00
530801	GREENE, HAMP H							
Insurance #1: PAID RX #10					03/26/2007	3 *****	10.00	0.00
530803	GREENE, HAMP H							
Insurance #1: PAID RX #10					03/26/2007	3 *****	10.00	0.00
530800	GREENE, HAMP H							
Insurance #1: PAID RX #10					03/26/2007	3 *****	10.00	0.00
530800	GREENE, HAMP H							
Insurance #1: PAID RX #10					04/18/2007	4 *****	21.70	0.00
530803	GREENE, HAMP H							
Insurance #1: PAID RX #10					04/18/2007	4 *****	50.61	0.00
530801	GREENE, HAMP H							
Insurance #1: PAID RX #10					04/18/2007	4 *****	10.70	0.00
530802	GREENE, HAMP H							
Insurance #1: PAID RX #10					04/18/2007	4 *****	5.88	0.00
530804	GREENE, HAMP H							
Insurance #1: PAID RX #10					04/18/2007	0 *****	21.11	0.00
530803	GREENE, HAMP H							
Insurance #1: PAID RX #10					05/10/2007	5 *****	10.00	0.00
530804	GREENE, HAMP H							
Insurance #1: PAID RX #10					05/10/2007	1 *****	10.00	0.00
530802	GREENE, HAMP H							
Insurance #1: PAID RX #10					05/10/2007	5 *****	10.00	0.00
530801	GREENE, HAMP H							
Insurance #1: PAID RX #10					05/10/2007	5 *****	10.00	0.00

EXHIBIT

3

Page 2

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Statement Date Beginning 01/01/2006, Ending 12/31/2007

Rx #	Doctor	Drug	NDC	Qty	Fill Date	Refill	Price	Tax

Insurance #1: PAID RX #10								
530800	GREENE,HAMP H				05/10/2007	5 *****	10.00	0.00
Insurance #1: PAID RX #10								
530804	GREENE,HAMP H				06/04/2007	2 *****	10.00	0.00
Insurance #1: PAID RX #10								
530800	GREENE,HAMP H				06/04/2007	6 *****	10.00	0.00
Insurance #1: PAID RX #10								
541826	GREENE,HAMP H				06/04/2007	0 *****	10.00	0.00
Insurance #1: PAID RX #10								
541827	GREENE,HAMP H				06/04/2007	0 *****	10.00	0.00
Insurance #1: PAID RX #10								
541828	GREENE,HAMP H				06/04/2007	0 *****	10.00	0.00
Insurance #1: PAID RX #10								
541828	GREENE,HAMP H				06/28/2007	1 *****	10.00	0.00
Insurance #1: PAID RX #10								
541827	GREENE,HAMP H				06/28/2007	1 *****	10.00	0.00
Insurance #1: PAID RX #10								
541826	GREENE,HAMP H				06/28/2007	1 *****	10.00	0.00
Insurance #1: PAID RX #10								
530800	GREENE,HAMP H				06/28/2007	7 *****	10.00	0.00
Insurance #1: PAID RX #10								
530804	GREENE,HAMP H				06/28/2007	3 *****	10.00	0.00
Insurance #1: PAID RX #10								
530804	GREENE,HAMP H				07/23/2007	4 *****	10.00	0.00
Insurance #1: PAID RX #10								
541826	GREENE,HAMP H				07/23/2007	2 *****	10.00	0.00
Insurance #1: PAID RX #10								
541827	GREENE,HAMP H				07/23/2007	2 *****	10.00	0.00
Insurance #1: PAID RX #10								
530800	GREENE,HAMP H				07/23/2007	8 *****	10.00	0.00
Insurance #1: PAID RX #10								
541828	GREENE,HAMP H				07/23/2007	2 *****	10.00	0.00
Insurance #1: PAID RX #10								
541828	GREENE,HAMP H				08/16/2007	3 *****	10.00	0.00
Insurance #1: PAID RX #10								
530800	GREENE,HAMP H				08/16/2007	9 *****	10.00	0.00
Insurance #1: PAID RX #10								
541827	GREENE,HAMP H				08/16/2007	3 *****	10.00	0.00
Insurance #1: PAID RX #10								
541826	GREENE,HAMP H				08/16/2007	3 *****	10.00	0.00
Insurance #1: PAID RX #10								
530804	GREENE,HAMP H				08/16/2007	5 *****	10.00	0.00
Insurance #1: PAID RX #10								
530804	GREENE,HAMP H				09/07/2007	6 *****	10.00	0.00

Page 3

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Patient: ELAINE LAMB, COMFORT INN ROOM 415, 2354 SOUTH 4TH STREET, EL CENTRO, CA 92243-0000
Statement Date Beginning 01/01/2006, Ending 12/31/2007

Rx #	Doctor	Drug	NDC	Qty	Fill Date	Refill	Price	Tax
=====								
Insurance #1: PAID RX #10								
541826	GREENE, HAMP H				09/07/2007	4 *****	10.00	0.00
Insurance #1: PAID RX #10								
541827	GREENE, HAMP H				09/07/2007	4 *****	10.00	0.00
Insurance #1: PAID RX #10								
530800	GREENE, HAMP H				09/07/2007	10 *****	10.00	0.00
Insurance #1: PAID RX #10								
541828	GREENE, HAMP H				09/07/2007	4 *****	10.00	0.00
Insurance #1: PAID RX #10								
530804	GREENE, HAMP H				10/01/2007	7 *****	10.00	0.00
Insurance #1: PAID RX #10								
530800	GREENE, HAMP H				10/01/2007	11 *****	10.00	0.00
Insurance #1: PAID RX #10								
541827	GREENE, HAMP H				10/01/2007	5 *****	10.00	0.00
Insurance #1: PAID RX #10								
541826	GREENE, HAMP H				10/01/2007	5 *****	10.00	0.00
Insurance #1: PAID RX #10								
541828	GREENE, HAMP H				10/01/2007	5 *****	10.00	0.00
Insurance #1: PAID RX #10								
530804	GREENE, HAMP H				10/25/2007	8 *****	10.00	0.00
Insurance #1: PAID RX #10								
552211	GREENE, HAMP H				10/25/2007	0 *****	10.00	0.00
Insurance #1: PAID RX #10								
552212	GREENE, HAMP H				10/25/2007	0 *****	10.00	0.00
Insurance #1: PAID RX #10								
552213	GREENE, HAMP H				10/25/2007	0 *****	10.00	0.00
Insurance #1: PAID RX #10								
552214	GREENE, HAMP H				10/25/2007	0 *****	10.00	0.00
Insurance #1: PAID RX #10								
530804	GREENE, HAMP H				11/19/2007	9 *****	10.00	0.00
Insurance #1: PAID RX #10								
552212	GREENE, HAMP H				11/19/2007	1 *****	10.00	0.00
Insurance #1: PAID RX #10								
552214	GREENE, HAMP H				11/19/2007	1 *****	10.00	0.00
Insurance #1: PAID RX #10								
552213	GREENE, HAMP H				11/19/2007	1 *****	10.00	0.00
Insurance #1: PAID RX #10								
552211	GREENE, HAMP H				11/19/2007	1 *****	10.00	0.00
Insurance #1: PAID RX #10								
530804	GREENE, HAMP H				12/13/2007	10 *****	10.00	0.00
Insurance #1: PAID RX #10								
552214	GREENE, HAMP H				12/13/2007	2 *****	10.00	0.00
Insurance #1: PAID RX #10								
552212	GREENE, HAMP H				12/13/2007	2 *****	10.00	0.00

Page 4

***** INSURANCE STATEMENT *****

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Patient: ELAINE LAMB, COMFORT INN ROOM 415, 2354 SOUTH 4TH STREET, EL CENTRO, CA 92243-0000
Statement Date Beginning 01/01/2006, Ending 12/31/2007

Rx #	Doctor	Drug	NDC	Qty	Fill Date	Refill	Price	Tax
Insurance #1: PAID RX #10								
552213	GREENE, HAMP H		1-3720-03	90	12/13/2007	2 *****	10.00	0.00
Insurance #1: PAID RX #10								
552211	GREENE, HAMP H		1-0524-01	60	12/13/2007	2 *****	10.00	0.00
Insurance #1: PAID RX #10								
Totals							\$1304.10	\$0.00

Pharmacist:

Store:

Federal tax ID:

Service Provider ID: 0119710

C. Broughton
BAPTIST TOWER PHARMACY
2055 E. SOUTH BLVD #107
MONTGOMERY, AL 36116-0000

FREEDOM COURT REPORTING

Page 9

1 graduate?

2 A. 1981.

3 Q. And have you been in the
4 practice of nursing since that time?

5 A. Yes, I have.

6 Q. You've brought some documents
7 here today, which I have had an
8 opportunity to look at before the
9 deposition. And one of the -- some of
10 the documents were licenses. What
11 current licenses do you have?

12 A. What type of license? Nursing
13 or --

14 Q. We'll start with nursing.

15 A. I have a California nurse's
16 license, Alabama, Virginia, and
17 Michigan.

18 Q. When did you apply for your
19 Michigan nursing license?

20 A. I don't know the exact date.
21 July. The month of July.

22 Q. I've made copies of some of
23 your documents and want to mark them.

FREEDOM COURT REPORTING

Page 10

1 I want to show you first a copy of what
2 is your driver's license and then two
3 of your nursing board licenses. Your
4 current driver's license is -- do you
5 currently have an Alabama driver's
6 license?

7 A. Yes.

8 Q. Are you licensed to drive in
9 Michigan?

10 A. Do I have a Michigan driver's
11 license?

12 Q. Yes.

13 A. No.

14 Q. Looking at the copy of your
15 driver's license, tell me when your
16 Alabama driver's license expires.

17 A. 1/25/2010.

18 Q. Okay. In looking at that same
19 piece of paper that has your Alabama
20 nursing license on it, when does your
21 Alabama nursing license expire?

22 A. 12/31/2008.

23 Q. I'd like to mark this as

FREEDOM COURT REPORTING

Page 11

1 Exhibit 1 to the deposition.

2

3 (Whereupon, Plaintiff's Exhibit
4 Number 1 was marked for
5 identification and is attached to
6 the original transcript.)

7

8 Q. I'm also going to show you a
9 copy of your current Virginia license
10 that you have brought to us today.
11 Could you tell me when that license
12 expires?

13 A. January the 31st, 2009.

14 Q. And what we can do is add
15 these licenses and attach this to
16 Exhibit 1, so it doesn't make it too
17 complicated.

18 I'm also going to show you
19 your State of Michigan license, and ask
20 you when that license is set to expire?

21 A. March 31st, 2008.

22 Q. One more, Ms. Lamb, I want to
23 show you your California license, going

FREEDOM COURT REPORTING

Page 12

1 back to that original page, and ask you
2 when that license expires?

3 A. February 28th, 2009.

4 Q. Ms. Lamb, who is your present
5 employer?

6 A. Sparrow Hospital.

7 Q. Where is Sparrow located?

8 A. Lansing, Michigan.

9 Q. How long have you been working
10 at Sparrow Hospital?

11 A. I started last week.

12 Q. Prior to working at Sparrow
13 Hospital, where were you employed?

14 A. Charlottesville, Virginia as a
15 travel nurse.

16 Q. What was the name of your
17 employer?

18 A. On Assignment.

19 Q. When did you start working
20 with On Assignment?

21 A. 10/06.

22 Q. And when did you continue to
23 work at On Assignment until you began

FREEDOM COURT REPORTING

Page 13

1 at Sparrow Hospital?

2 A. I stopped working with On
3 Assignment 6/07 and I have not worked
4 until I just started.

5 Q. Did you apply for any jobs
6 during that six-month period that you
7 weren't working?

8 A. In Michigan at two other
9 hospitals.

10 Q. Did you apply for any jobs in
11 Alabama?

12 A. No.

13 Q. What two hospitals in Michigan
14 did you apply for jobs?

15 A. Owasso. And I don't know the
16 name of the other.

17 Q. Is it Owasso Hospital?

18 A. Uh-huh.

19 MR. LOGAN: Is that a yes?

20 THE WITNESS: Yes, I'm sorry.

21 Q. (BY MR. TAYLOR:) If you can
22 think of the name of the other
23 hospital, if you would, just interrupt

FREEDOM COURT REPORTING

Page 16

1 Q. Ms. Lamb, in my request for
2 production, and also in my notice to
3 take deposition, I asked you to bring
4 some documents and some you brought
5 today. I asked you to bring some tax
6 documents. And you've brought a
7 2006 W-2 that I'll show you now. This
8 W-2 was sent to you from the Prison
9 Health Service, Incorporated?

10 A. Yes.

11 Q. They're located in Brentwood,
12 Tennessee. For what employment was
13 that?

14 A. Tutwiler Prison in Wetumpka.

15 Q. What dates -- I'll tell you
16 what, it might be easier to go through
17 your employment history first before we
18 get into that.

19 A. Okay.

20 Q. Give us a little more
21 organization.

22 Before On Assignment, where
23 you were employed from October 2006 to

FREEDOM COURT REPORTING

Page 17

1 June of 2007, where were you employed
2 prior to that?

3 A. Prison Health Services, which
4 is Tutwiler Prison, from 9/30/05 to
5 3/13/06.

6 At the same time, I worked
7 Adidas Health Care, 3/05 to 7/21/05.

8 Q. And prior to March of '05,
9 where did you work?

10 A. Travel Nurse Across America,
11 7/03 to 11/03.

12 Q. Where were they located?

13 A. I'm trying to remember. That
14 was one travel assignment in
15 Bakersfield, California.

16 Q. And that's where you were
17 located is in Bakersfield, California?

18 A. That's where --

19 Q. Travel Nurse Across America,
20 is that --

21 A. I traveled.

22 Q. Where is that company located?

23 A. I don't know offhand.

FREEDOM COURT REPORTING

Page 18

1 Q. Okay. Now, prior to July of
2 2003, where were you employed?

3 A. I did -- from 12/02 to 4/02, I
4 did private duty nursing with my mother
5 for cancer. I don't know if you can
6 call that employed.

7 Q. Now, that brings us back to
8 taxes, W-2s and 1099s.

9 A. Okay.

10 Q. In 2007, you were employed by
11 On Assignment in Charlottesville, North
12 Carolina; is that right?

13 A. Correct.

14 Q. Where were you located during
15 that employment? In Charlottesville?

16 A. In Charlottesville. Do you
17 want the address?

18 Q. Yes.

19 A. 844 C-A-T-A-L-P-A Court,
20 Charlottesville, Virginia 22903.

21 Q. Did you work in Alabama during
22 the year 2007?

23 A. I have not worked in Alabama

FREEDOM COURT REPORTING

Page 19

1 since the prison.

2 Q. Have you received a W-2 and/or
3 a 1099 from On Assignment for 2007?

4 A. If they've mailed it, I have
5 not received it.

6 Q. Okay. Have you filed Federal
7 tax returns or State tax returns?

8 A. Not for 2005, '6, or '7.

9 Q. And in 2005, you were located
10 in Alabama; is that correct?

11 A. Yes.

12 Q. Did you make more than \$4,600
13 per year in 2005?

14 A. I honestly don't know. I
15 think so, but I don't know.

16 MR. LOGAN: Are you guessing?

17 THE WITNESS: I'm guessing.

18 MR. LOGAN: Don't guess.

19 A. I do not know.

20 Q. (BY MR. TAYLOR:) In 2006, did
21 you make more than \$4,600 from the
22 Prison Health Services?

23 A. Yes.

FREEDOM COURT REPORTING

Page 32

1 prior to the Civic?

2 A. Yes.

3 Q. And did you get rid of the
4 Explorer before you used your mom's or
5 your Civic?

6 A. Yes.

7 Q. Ms. Lamb, when did you get
8 here to Alabama today?

9 A. At 9:55.

10 Q. Are you staying tonight?

11 A. Yes, I am.

12 Q. Who are you staying with?

13 A. My sister is coming up from
14 Hope Hull and we're staying in a hotel.
15 And I fly out tomorrow morning back to
16 Michigan.

17 Q. What's your sister's name?

18 A. Barbara Grant.

19 Q. How long has she lived in
20 Hope Hull?

21 A. She moved back from Utah to
22 Hope Hull -- I don't know the number of
23 years.

FREEDOM COURT REPORTING

Page 33

1 Q. More than five?

2 A. I don't think five. May be --
3 I don't know.

4 Q. Okay. More than three?

5 A. I think.

6 Q. Okay.

7 A. I can give you that.

8 Q. And you're leaving tomorrow,
9 you say?

10 A. Yes.

11 Q. Have you ever given a
12 deposition before?

13 A. No.

14 Q. And how were you notified of
15 this deposition?

16 MR. LOGAN: Before you answer,
17 don't talk about any conversations that
18 you've had with me or anybody in my
19 office. But you can tell him when you
20 were notified about your deposition.

21 A. When I received this or when I
22 was notified that I was coming here?

23 Q. (BY MR. TAYLOR:) Okay.

FREEDOM COURT REPORTING

Page 36

1 notified you that -- without telling me
2 anything they've said, they notified
3 you that this was going on?

4 MR. LOGAN: She was aware of
5 her deposition before she showed up
6 today, if that's fair.

7 Q. (BY MR. TAYLOR:) Okay. I
8 want to go through and get a history of
9 addresses, starting with your current
10 address where you claim to be living.

11 A. Okay. I live at 225 West
12 Street, Post Office Box 92, Laingsburg,
13 L-A-I-N-G-S-B-U-R-G, Michigan 48848.

14 Q. Is that a physical address?

15 A. 225 is a physical address.
16 They do not mail there. So the
17 P.O. Box is where the mail comes.

18 Q. The physical address, 225 West
19 Street, is that a house or an
20 apartment?

21 A. A house.

22 Q. What kind of property is it
23 located on? Better question, who lives

FREEDOM COURT REPORTING

Page 37

1 there with you?

2 A. My mother, my sister, and her
3 children. Her husband and children.

4 Q. And is this your same sister
5 Barbara --

6 A. No.

7 Q. It's not? What's your
8 sister's name?

9 A. Edith Law.

10 Q. And her husband is Steven Law?

11 A. Correct.

12 Q. Who owns the property at
13 225 West Street?

14 A. Edith and Steven.

15 Q. Do you pay them rent?

16 A. When I have any money in my
17 account.

18 Q. And how long have you been
19 staying at that address?

20 A. I went there at the end of
21 June. I stayed there until I went up
22 to help my mother move her property in
23 Alabama to move up there also.

FREEDOM COURT REPORTING

Page 40

1 and I can't tell you which times I
2 stayed. She traveled with me on some
3 of those assignments. I can't tell you
4 which times I stayed with her or stayed
5 with my uncle or which times I stayed
6 with my brother, which times I stayed
7 with Edith in Michigan.

8 Q. What's your brother's address
9 in Montgomery?

10 A. I don't know.

11 Q. Dalford Street?

12 A. Dalford Lane or Dalford
13 Street.

14 Q. What's his name?

15 A. Michael Lamb.

16 Q. Is he married?

17 A. Yes, he is.

18 Q. What's his wife's name?

19 A. Valerie Lamb.

20 Q. Do they have any children?

21 A. None living in their home.

22 Q. When you were working at
23 Tutwiler, where were you staying during

FREEDOM COURT REPORTING

Page 41

1 that period of time?

2 A. I'm trying to remember if the
3 house was sold in Lowndesboro. With my
4 uncle, I think. I believe.

5 Q. With your uncle at 120 Lost
6 Trail?

7 A. Yes, or -- I'm sorry. I don't
8 know. I don't know if we'd sold the
9 property yet in Lowndesboro. I could
10 be mistaken.

11 Q. Well, let me try to get a
12 frame of reference on time with
13 these -- when you were staying at these
14 places in Alabama.

15 A. Okay.

16 Q. From September the 30th, 2005
17 to July the 31st, 2000 until March the
18 13th, 2006, you were working at Prison
19 Health Services?

20 A. Yes.

21 Q. During that six-month period
22 of time --

23 A. -- I lived in Lowndesboro.

FREEDOM COURT REPORTING

Page 57

1 in Laingsburg three times. I don't
2 know the dates.

3 Q. Have these been since October
4 3rd, 2007?

5 A. Yes.

6 Q. When was the last time you saw
7 a physician in the State of Alabama?

8 A. That would be within the last
9 year, and that would be my neurologist
10 Dr. Hamp Green.

11 Q. Dr. Green, did you see him in
12 the month of September 2007?

13 A. I don't know. I don't know.
14 I'd have to call his office to know the
15 exact date.

16 Q. Could you do that and find out
17 when the last time you saw Dr. Green?

18 A. I could do that right now.

19 Q. That would be great.

20 MR. TAYLOR: Can we take a
21 break?

22 MR. LOGAN: Sure.

23

FREEDOM COURT REPORTING

Page 58

1 (Short recess.)

2

3 A. (BY MR. TAYLOR:) January of
4 '07.

5 Q. And do you intend to see
6 Dr. Green again?

7 A. Yes. I will fly back to see
8 him. I will keep him as my
9 neurologist. I will have all of my
10 other doctors in Michigan, but I won't
11 give him up.

12 Q. Any other doctors in
13 Montgomery besides Dr. Green that you
14 have seen in the last year?

15 A. My family physician is
16 Dr. Keith Hughes.

17 Q. When was the last time you saw
18 him?

19 A. I can call him and ask.

20 Q. If you don't mind.

21

22 (Short recess.)

23

FREEDOM COURT REPORTING

Page 72

1 A. My medications are prescribed
2 to me by Dr. Green.

3 Q. Okay. And you are on
4 prescription medication?

5 A. Yes, I am.

6 Q. Your latest prescription
7 prescribed by Dr. Green, could you get
8 a copy of that label on that bottle and
9 give it to your lawyer at your earliest
10 convenience?

11 A. Yes.

12 MR. LOGAN: If you have it.

13 A. It's in Michigan.

14 Q. (BY MR. TAYLOR:) Okay.

15 MR. LOGAN: And, Tedford, what
16 I may do is I may black out what the
17 medication is.

18 MR. TAYLOR: That's fine.

19 MR. LOGAN: I assume the only
20 information that you're interested
21 would be the address on the bottle; is
22 that correct?

23 MR. TAYLOR: Right. The

FREEDOM COURT REPORTING

Page 73

1 address and the doctor and that sort of
2 thing.

3 A. Well, I can tell you right now
4 the medications are all out of Baptist
5 Towers and mailed to me in Laingsburg.
6 So I can get Baptist Towers to --

7 Q. (BY MR. TAYLOR:) That may be
8 an easier route.

9 A. -- give you a statement that
10 they're mailing all of my medications.
11 Because they mailed them to me in
12 California. Now they mail them to me.

13 Q. That's fine. I just want to
14 make sure that it shows when the
15 medications were prescribed. And I
16 don't need to know the medications;
17 just when they were prescribed. And
18 that should be on the label of the date
19 that it was filled.

20 A. You just want the last set
21 or --

22 Q. Well, actually --

23 A. They're monthly medications